



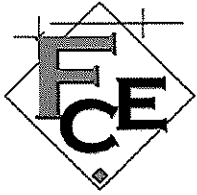
FINELLI CONSULTING ENGINEERS, INC.
HARMONY TOWNSHIP
ZONING OFFICER LOG
January 1, 2021 – December 1, 2021

DATE	NAME	LOCATION	DESCRIPTION
1.26.21	Brian Tipton	3075 Hutchinson River Road Block 6, Lot 7	Issued Zoning Permit for 40' x 76' residential pole building
2.12.21	John Garrison	252 Garrison Road Block 38, Lot 25.01	Issued Zoning Permit for in-ground swimming pool.
3.2.21	Christine Collaluce	760 Harmony Brass Castle Road Block 21, Lot 33.01	Issued Highlands Exemption for proposed garage.
3.4.21	Pedro Bessa	2766 River Road Block 38, Lot 2.01	Issued Zoning Permit for 40' x 60' residential pole building
3.13.21	Matthew Matarazzo	1340 Ridge Road Block 11, Lot 13	Issued Zoning Permit denial for dwelling addition. Variances are required.
3.16.21	Bruce Deemer	821 Ridge Road Block 9, Lot 48	Issued Zoning Permit for 13' x 18' residential shed.
3.22.21	Jackies Tillou	Hutchinson River Road Block 6, Lot 19	Issued zoning opinion relating to dwelling addition within the flood hazard area.
3.22.21	Paul Sandhu	Harmony Station Road Block 34, Lot 21.01	Issued opinion on SWM requirements for construction of a new dwelling.
3.26.21	Kellen Grahm	381 Brainards Road Block 35, L. 1.02	Issued Zoning Permit for 2 nd floor addition over garage.
3.30.21	Joseph Macho	231 Fiddler's Elbow Road Block 12, Lot 13.01	Issued Zoning Permit for residential deck.
4.5.21	Harmony Spirits & Grocery	2330 Belvidere Road Block 28, Lot 4	Issued Zoning Permit for propane tank storage cabinet.
4.19.21	Tiago Monteiro	2907 Belvidere Road Block 38, Lot 17	Issued Zoning Permit for 6' high fence.
4.19.21	Mark Thompson	2939 Belvidere Road Block 38, Lot 12 & 13	Issued Zoning Permit for 12' x 20' residential shed.



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4.19.21	Tesla Energy Operations	690 Harmony Brass Castle Road Block 21, Lot 30.03	Issue Zoning Permit for residential rooftop solar.
4.26.21	Robert Sloboda	426 Marble Hill Road Block 33, Lot 9	Issued Zoning Permit for front porch.
4.26.21	Annette Tajalma	2816 River Road Block 38, Lot 5.01	Issued Zoning Permit for 26' x 30' residential pole building
5.3.21	Pure Power Energy	2789 Belvidere Road Block 36, Lot 3.01	Issued Zoning Permit for residential rooftop solar
5.12.21	Distinctive Builders	247 Fiddler's Elbow Block 12, Lot 13.02	Issued Zoning Permit for new single family dwelling
5.24.21	Sunrun Solar	3 Unami Lane Block 47.01, Lot 27.13	Issued Zoning Permit for residential rooftop solar
5.24.21	Richard Kookogey	3169 Belvidere Road Block 7, Lot 4	Issued NOV for high grass/weeds
5.24.21	Christopher Valdes	2325 Belvidere Road Block 33, Lot 37	Issued NOV for high grass/weeds.
6.9.21	Escaleira Solar	2783 River Road Block 39, Lot 31.01	Issued Zoning Permit for residential rooftop solar.
6.16.21	Green Power Energy	241 Marble Hill Road Block 46, Lot 7	Issued Zoning Permit for residential rooftop solar.
6.21.21	Ashlee Campbell	2701 River Road Block 35, Lot 9	Issued zoning opinion for construction of proposed garage.
6.22.21	Laurie Willard	1266 Ridge Road Block 11, Lot 20	Issued zoning opinion for reconstruction of burned dwelling
7.2.21	Adam Randall	536 Harmony Brass Castle Road Block 21, Lot 17	Issued Zoning Permit for 32' x 40' residential storage barn.



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7.14.21	Franciszek Piwowarczyk	1199 Marble Hill Road Block 34, Lot 6.01	Issued NOV for operating business within a residential zone.
7.19.21	George Stevens	3165 Belvidere Road Block 7, Lot 6	Issued zoning opinion regarding construction of a fence.
7.20.21	Signature Estates Dr. Farouk Barakat	Signature Estates Subdivision	Issued NOV for high grass/weeds.
7.28.21	Mt. Salem Electric	244 Ridge Road Block 26, Lot 43.04	Issued Zoning Permit for residential emergency generator.
8.18.21	John Mccauley	Alpha Street Block 42, Lot 14	Issued NOV for high grass/weeds.
8.18.21	Shelly Ackerman	4 Grist Mill Road Block 9, Lot 2.01	Issued NOV for accumulation of trash/debris.
8.18.21	Deborah Osifchin	1003 Third Avenue Block 43, Lot 7	Issued NOV for keeping of chickens on a residential property.
8.24.21	Mike Buchser	2969 Hutchinson River Road Block 5, Lot 33	Issued zoning opinion that variances are required to reconstruct and raise dwelling above the flood hazard elevation.
9.09.21	Brandon McGregor	219 Garrison Road Block 37, Lot 6	Issued Zoning Permit for expansion of existing residential dwelling.
9.09.21	Sarah Grotenhuis & James Minorics	2934 River Road Block 6, Lot 38 & 39	Issued Notice of Violation for high grass & trash/debris.
9.09.21	EMT Renewables	362 Brainards Road Block 34, Lot 6.03	Issued Zoning Permit for rooftop solar
9.14.21	Michael Novis	2789 Belvidere Road Block 36, Lot 3.01	Issued Zoning Permit for residential fence.
9.20.21	Shelly Ackerman	4 Grist Mill Road Block 9, Lot 2.01	Poste Notice of Violation on door of premises for accumulation of trash & debris.



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9.29.21	Andrew Holland	730 Ridge Road Block 26, Lot 58.01	Issued Zoning Permit for 30' by 40' pole barn for residential storage.
9.29.21	Allen Wilson (Wilson Drilling)	500 Allen's Mill Road Block 20, Lot 2.01	Emailed July 13, 2021 Notice of Violation to B. Edleston (Wilson's Attorney)
10.11.21	Mary Jane Grotenhuis & James Minorics	2934 River Road Block 6, Lot 38 & 39	Issued 2 nd Notice of Violation for high grass & trash/debris & posted property.
10.19.21	Joseph Bradford	7 South River Terrace Block 48, Lot 17	Issued Notice of Violation for nuisance – plastic tents & debris
10.13.21	Allen Wilson (Wilson Drilling)	500 Allen's Mill Road Block 20, Lot 2.01	Received confirmation email from B. Edleston that Wilson will return to the LU Board to proceed with the required use variance.
11.1.21	Corey Colaluce	760 Harmony Brass Castle Road Block 21, Lot 33.01	Issued Zoning Permit for 32' by 32' residential garage
11.9.21	Joseph Bradford	7 South River Terrace Block 48, Lot 17	Complaint sent to Municipal Court Clerk - plastic tents & debris
12.1.21	Paul Kolterjahn	1741 Raub Lane Block 33, Lot 55	Issued Zoning Permit for 26' by 42' attached residential garage



TO: Mayor Brian Tipton and Township Committee Members **VIA EMAIL ONLY**
FROM: Michael S. Finelli, P.E., P.P., C.M.E.
DATE: December 3, 2021
RE: **Harmony Township Engineer's Report for the December 7, 2021 Committee Meeting**
FCE No. HAWM245R12

HARMONY SAND AND GRAVEL QUARRY PERMIT

- Please refer to prior Engineering reports for 2017, 2018 & 2019 permit application summaries.
- HS&G has requested that the hearing on their 2020 application be carried until the May 5, 2020 Committee meeting based upon issues with the Haul Road. The application which was received is proposing mining of the material within the existing Haul Road and has proposed a new Haul Road to Roxburg Station Road. Based upon some research we have determined based upon a previous Board of Adjustment decision and further based upon the lands on which the new Haul Road would be located (Block 7, Lot 1) being agriculturally preserved that a Haul Road to Roxburg Station Road is not possible. Attorney Wilhelm has indicated that HS&G is investigating other options – potentially connecting to the existing Rotondi driveway on Block 7, Lot 14.02. An announcement should be made at the April 7, 2020 meeting that the matter is being carried to the May meeting. Note that FCE does not intend to provide a technical review of the application until we have received revised plans clearly documenting the applicant's intentions for 2020.
- The plans which are currently in the Township's possession reflect a relocation of the Haul Road to connect with Roxburg Station Road which is not possible. Based upon that issue, Attorney Wilhelm asked that the matter be carried to the May 5, 2020 Committee meeting. Since new plans for the 2020 HSG permit have not been received, we presume that the application will need to be carried to a future meeting.
- The 2020 mining application was found to be incomplete at the May 5, 2020 Committee meeting for lack of design details of the new Haul Road which is proposed to be constructed around the perimeter of the Front Pit. New plans were received on May 22, 2020 for the 2020 licensing application including separate plans for construction of the new Haul Road. FCE will provide a separate review report to the Committee for the June 2, 2020 meeting.
- HS&G's 2020 quarrying permit was approved at the June 2, 2020 Committee meeting. We will be providing the Committee with an approval resolution for adoption at the July 7, 2020 Committee meeting. The restoration of Pit 2 (Star D Farms) is continuing under the supervision of Earth Efficient who has been retained by HS&G for the restoration work. The work is being inspected by FCE personnel as needed to ensure compliance with the approved plans and with the Material Acceptance Plan (MAP) which was submitted by Earth Efficient in February 2020 and approved by the Committee. The Committee is aware that there have been some concerns with debris contained within the imported fill. We have discussed this matter with Earth Efficient and have been advised that their test results confirm that the fill meets the requirements



for clean fill as defined by NJDEP. The problem is that a de minimis amount ($< 1\%$) of “debris” such as wood, metals, plastic, wire, wallboard, roofing material, insulation, carpeting, trash etc. which materials are classified as solid waste is acceptable as “clean” fill. This becomes more of an issue when the fill materials are being placed in the water. We are coordinating with Earth Efficient to institute provisions addressing the issue including providing a revised MAP for review and approval. On June 24, 2020 we did receive a revised MAP. We will be providing a report on the revised MAP to the Committee under separate cover.

- The resolution memorializing the approval of HS&G’s 2020 quarrying license was adopted at the July 7, 2020 Committee meeting. A revised Material Acceptance Plan for the restoration of Pit 2 was received in our office on July 21, 2020 in response to our July 2, 2020 review letter. We have attached a copy. We will be providing our review of the revised MAP under separate cover. Slope restoration work by Earth Efficient is continuing in Pit 2 with inspection by our office, as necessary. Control and removal of debris is improving.
- We have provided our August 31, 2020 review of the revised Material Acceptance Plan under separate cover which found the revised plan to be acceptable. Enhanced provisions in the plan for control of debris are being implemented by Earth Efficient. Progress continues on the Pit 2 slope restoration.
- Restoration of Pit 2 is continuing. Significant progress is being made.
- HS&G’s 2021 Quarrying License Application has been received by this office and the Township via email dated January 26, 2021 from LAN Associates. As of the date of this report we have not had the opportunity to perform a Site Inspection of the Front Pit or complete the review of the application. Based upon a conversation with K. Campbell, Esq. the applicant has noticed for the hearing to commence at the February 2, 2021 Committee meeting. We have no objection to the applicant beginning their testimony with the hearing to be continued at the March 2, 2021 meeting.
- Our office has reviewed the 2021 Quarry License Application and has provided our report under separate cover to the Committee.
- The Committee approved HS&G’s 2021 Quarry License at their March 2, 2021 meeting. The memorializing Resolution should be scheduled for adoption at the April 6, 2021 Committee meeting.
- The memorializing Resolution approving the 2021 Quarry License is scheduled for adoption at the May 4, 2021 Committee meeting.
- We have received a September 21, 2021 email from R. Panicucci seeking permission to begin construction of the proposed relocated Haul Road. Plans for the new Haul Road were submitted in 2020 in conjunction with their annual mining application. A preliminary review of these plans was provided in our May 29, 2020 letter to the Committee. There are two (2) issues which we wish to discuss with the Committee prior to this work commencing. The first is whether the Committee has the authority to approve the plans for the relocated Haul Road as part of the Quarry License process without any other Township approvals. The second is whether there are any legal



issues with the construction of the proposed new Haul Road as it will result in the removal of the existing Haul Road. The Committee will recall that there was litigation between HS&G and Star D Farm over the ownership of the existing Haul Road and rights to the sand and gravel beneath the Haul Road. Our office will be conducting a final review of the plans and required other agency permits prior to permitting the construction to begin.

- Based on a October 26, 2021 conversation with K. Campbell, we are in agreement that the Committee can authorize the construction of the new Haul Road and removal of a portion of the old Haul Road without any input from the Land Use Board. It was also noted in our conversation that it will be incumbent upon HS&G to abide by all provisions of the settlement of the Haul Road litigation. We anticipate scheduling a pre-construction meeting with HS&G and R. Panicucci and the Upper Delaware SCD prior to the start of the work.
- **Construction of the new Haul Road has commenced. The work is being inspected by our inspection staff on an as needed basis. Good progress is being made by EarthEfficient on the restoration of the side slopes within Pit 2. Based upon our inspection on November 30, 2021 a significant portion of the slopes along the Buckhorn Creek side of the pit have been “flattened” to what appear to be 3:1 slopes and topsoil has been placed in certain areas. As-built plans will need to be provided by HS&G prior to our final acceptance of the restoration. It appears that the northern side of Pit 2 which parallels Roxburg Station Road still needs the slopes to be “flattened”. It is also noted that that soundings and as-built cross sections will need to be provided for the underwater slopes prior to our acceptance of the work.**

SHANDOR’S USED AUTO PARTS/ 2020 & 2021 JUNKYARD LICENSES
(no change since last month’s report)

- Our office has received a copy of the 2020 Junkyard application on March 16, 2020. Under separate cover, our review of the application will be provided to the Committee for consideration at the April 7, 2020 Committee meeting. It is noted that the application does not clearly identify who is the applicant and the names of the owners along with the consent of all owner’s (both lots). We believe these matters need to be clarified prior to proceeding. The advice of Attorney Campbell should be sought.
- The Committee took no action on the 2020 permit at its April 7, 2020 meeting. The matter was carried to the May 5, 2020 meeting. A copy of our April 3, 2020 review of the 2020 license application has been submitted to the Committee for consideration. It is noted that the Committee did ask K. Campbell to contact NJDEP to obtain information on outstanding NJDEP violations on these properties.
- Action on the 2020 license was tabled at the June 2, 2020 TC meeting based upon the recent passing of Mr. & Mrs. Shandor.
- Refer to K. Campbell’s July 25, 2020 memo to the Committee. The applicant has been advised that the Shandor estate needs to be probated to clarify ownership of the junkyard prior to the Committee approving the 2020 license.



- A 3rd Zoning Violation was issued by Joe Rossi on October 22, 2020 for operation of the junkyard without a license. The junkyard's license was revoked by the Committee last year for failure of the junkyard to provide correct information on the owner of the land and owners of the entity operating the junkyard. The matter is scheduled for Municipal Court hearing on February 4, 2021. In addition, we received from K. Campbell a copy of a January 15, 2021 Consent Order and Settlement Agreement requiring the owners to bring the site into compliance with applicable NJDEP rules.
- March 4, 2021 was the most recent court appearance on the zoning complaint. During the hearing, the applicant's attorney, William Mandry, Esq, stated that the applicant would be submitting a new application for the 2021 Junkyard Permit. A Junkyard License application was received at the Township on March 8, 2021. It appears that the Junkyard has been conveyed through the Estate of Joseph Shandor to Jeffery Riddle. I will be discussing the review of this "new" application with Attorney Campbell.
- The judge granted a continuation for the hearing to April 15, 2021.
- The Junkyard License was conditionally approved by the Committee at its April 6, 2021 meeting. Based upon our inspection on April 28, 2021 the condition requiring that abandoned vehicles be removed from the adjoining field has not been satisfied. The Riddle's should be notified by the Clerk of the issue. The 2021 License should be withheld until the condition is satisfied. The most recent court hearing on this matter was held on April 15, 2021. No action was taken as Attorney Mandry did not appear before the court with no explanation to the court. The municipal court hearing for operating the junkyard without a license since 2020 has been continued to May 6, 2021.
- Abandoned vehicles in the adjoining field have been removed by the applicant so the 2021 Junkyard License should be provided to the applicant by the Clerk if not already released. The Municipal Court action for operating a junkyard without a license has been adjudicated with the Court finding the owner guilty with the issuance of a fine.

NEW STORMWATER MANAGEMENT RULES

- The NJDEP on March 2, 2020 adopted new rules replacing the current SWM rules at N.J.A.C. 7:8. Municipalities, as part of their MS4 permits, are required to update their SWM Ordinance and SWM Plan (if necessary) within one year. A model ordinance has been provided. We anticipate providing information to the Committee in the next few months to proceed with the required updates.
- FCE is preparing revisions to Township Ordinance Chapter 142- Stormwater Management to conform with the newly adopted NJDEP SWM rules. Remaining funds in the Township's \$15,000 Highlands SWM Grant can be utilized for this work.
- FCE has prepared a revised Chapter 142 Stormwater Management ordinance updated to conform with new 2020 Highlands and 2020 NJDEP rules. The ordinance was electronically submitted to the Township and the Highlands Council on September 29, 2020 for review and approval by the



Highlands Council prior to its adoption by the Township. The ordinance could be scheduled for first reading and discussion after approval by the Highlands Council.

- Revised Chapter 142 SWM Ordinance has been approved by the Highlands Council and should be scheduled for discussion and first reading in early 2021.
- Revisions to Chapter 142 SWM Ordinance and the SWM Plan are being reviewed by the Land Use Board at their February 3, 2021 meeting. The Ordinance should be scheduled for second reading by the Committee at their March 2, 2021 Committee meeting. The SWM Plan is required to be adopted by the LU Board as a component of the Master Plan.
- Chapter 142 (Stormwater Management) revisions were adopted by Ordinance No. 21-2 at the March 2, 2021 Committee meeting.
- FCE is currently preparing minor revisions to Chapter 142 to satisfy April 12, 2021 comments by Dave Dech, PP, Warren County Planning Department.
- A draft amendment to Chapter 142 has been sent to D. Dech via email on August 16, 2021 to address the County's April 12, 2021 review comments.
- The amendment to Chapter 142 was approved by Dave Dech, PP, via August 26, 2021 email. We have provided a copy of the ordinance amendment to Kelley Smith to schedule it for 1st reading.
- First Reading of Ordinance No. 21-10 was approved at the October 5, 2021 Township Committee Meeting. We anticipate that this Ordinance will be on for Second Reading and adoption at the November 2, 2021 Committee Meeting.
- **Ordinance No. 21-10 was adopted at the November 2, 2021 Committee meeting.**

FOX FARM ROAD, SECTION 2 (2021 NJDOT Grant Project)
(no change since last month's report)

- The Township was notified by the State that they received a grant in the amount of \$136,700 for the resurfacing of Fox Farm Road Section 2.
- A Budget Memo was sent to the Township which showed a significant shortfall for this work. FCE is presently evaluating a modification to the scope of the work (shorten the length roadway to be resurfaced) and will provide a revised budget amount to the Township.
- The snow covering the existing Guide Rail has forced a delay in the modification to the Initial Budget Memo, but we are hoping to provide the Committee a revised Budget memo in advance of the 3/2/21 TC Meeting under separate cover.
- FCE has scheduled the field survey work and will begin to develop the initial documents for submission to DOT.
- The Field survey work has been completed and we are now proceeding with the design phase of the project. Per prior discussions and the subsequent approval from the Twp. Committee, this section of Fox Farm Rd. is longer(almost 1.5 Miles) than "conventional" DOT Grant projects.



This will obviously have a direct impact on the total costs of the project(as outlined in our Jan. Memo to the Committee).

- Plans, Specifications and Engineers estimate was submitted to NJDOT on August 4, 2021. NJDOT has reviewed our submittal and we may proceed with award to Morris County Cooperative Pricing council.
- **The Morris County Cooperative Pricing Council paving contractor is not able to schedule the resurfacing of Fox Farm Road for this year. The NJDOT approvals are in place, and we will be in position to have this project completed first thing in the Spring of 2022.**

Ridge Road Section 2 (2022 NJDOT Grant Project)

- **The Township was notified by the State that they received a grant in the amount of \$131,600 for the resurfacing of Ridge Road Section 2.**
- **A Budget Memo was sent to the Township which showed a significant shortfall for this work. A shortened section of Ridge Road was also presented in the budget memo for the Township to evaluate and discuss. Obviously, Kathleen will need to be involved in these discussions from an overall budgeting perspective for 2022.**

2021 LOCAL RECREATION IMPROVEMENT GRANT

(no change since last month's report)

- After discussions with Kelley Smith, the Township is moving forward with an application through this grant program for the construction of a walking path at the recreation site. Donna Becker, PE (our office) will use all of the information that was prepared for the TA-Set Aside Grant (Refer to prior item listed in this report) and will prepare all necessary supporting documents to submit the application. There are a number of forms that need to be signed by the Township which have been previously forwarded to Kelley Smith. Applications are due through NJDCA SAGE by May 24, 2021.
- This application was submitted on May 19, 2021.

c: Kelley Smith, Clerk, via email only
Katrina Campbell, Esq., via email only
Kathleen Reinalda, CFO, via email only
Randy Hoffman, DPW, via email only